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## The Santo Domingo Treaty.

Secretary Root is pressing the Santo Domingo matter before the Senate Committee on Foreign Relations. It is time for a settlement of the treaty. It is now nearly two years since a decidedly remarkable step was taken by the Executive, undoubtedly in all honesty and with every possible good intention, but rearded by the Senate as at least irregular and questionable. That body has thus far declined to ratify the treaty then submitted to it.

A new situation, greatly simplified, has now been created, and much of the ground of objection to the old convention has been removed. It is possible to consider a new draft, on an entirely new basis, or to amend out of the old one practically all of its objectionable features. By the terms of the earlier convention the United States agreed to attempt the difficult task of adjusting the claims against the Dominican Government. These have now been tentatively arranged. The various creditors have agreed to accept a new issue of bonds, which will be worth 100 cents on the dollar, in place of their present bonds and unliquidated claims, which are worth only what they can get for them in what is rather a gambler's than a speculator's market. Thus the total indebtedness is reduced about one-half and the outstanding obligations can be covered by a bond issue of about \$17,000,000.

Naturally, a new treaty must include certain restrictions and certain agreements. One of these must be an agreement on the part of the Dominicans that no new debt shall be incurred, pending the extinction of the old one, without the consent and approval of this country. With us also must rest some right of control over the tariff rates of the island, and the present system of collection must be continued. These points and all else that it may be necessary to cover may be left with safety to the present

head of the Department of State. It is time that the present abnormal situation should be terminated.

# The Pope's Encyclical.

Although the encyclical published on January 11 was addressed by Pope Pius X. to "our venerable brothers the Cardinals, Bishops, clergy and people of France," it was, of course, specifically meant for the instruction of the Bishops who are about to assemble. But although it lays down the fundamental principles which should govern the attitude of the episcopate and clergy toward the civil power, it conveys no definite directions as to the use that shall be made of the church buildings, which, under the new law passed on January 2, the Catholics are at liberty to occupy. That course is apparently left for the Bishops to determine.

Before defining the concessions which he thinks the French Government should make, if it desires to reconcile French Catholics to the abolition of the Concordat, the Pope explains the reasons sometimes misconstrued or misunderstood, for his refusal to avail himself of the associations cultuelles prescribed by the law of 1905, or of the opportunity to hold religious services in church buildings through a formal compliance with the law of 1881, by means of an annual declaration. He could not accept the associations cultuelles, he says, because the law conferred upon them attributes regarding the exercise of worship and concerning the possession and administration of church property which under the canon law appertain to ecclesiastical authority alone. Those associations were not only withdrawn from ecclesiastical jurisdiction, to which alone they should have been subjected, but placed under civil authority exclusively.

It has been alleged that the position taken by the Pope in this matter is inensistent with his toleration of a similar state of things in Prussia. This the Pope denies, pointing out that the Prussian law, although open to much criticism, recognizes the Catholic hierarchy, which the French law does not. That is the crux of the whole question. Not only in Germany but, we may add, in the United States and Great Britain the State leaves the ecclesiastical organization of Catholics intact.

As for the annual declaration of an intention to hold meetings for public worship, which the French Government offered to accept as a formal compliance with the law of 1881, the Pope directs attention to the fact that the offer was made by M. BRIAND in the exercise of his ministerial discretion, and might be revoked by a succeeding Minister on the ground that the law would not bear so strained an interpretation. The offer carried, therefore, no legal guarantee of permanence, such as the Church could he expected to accept. Nevertheless the Pope says, the Church might have tolerated annual declarations had not M. BRIAND accompanied the offer with "he assertion that the clergy would be enly occupants of the churches and would possess no legal status nor the right to perform any administrative act in the exercise of their ministry. The clergy were thereby relegated to a position so vague and humiliating that the making of declarations in formal compliance with the law of 1881 could not be

Turning to the law of January 2, 1907, J due to the glass and bronze roof, which

which was intended to deal with the situation created by the refusal to form associations cultuelles, the Pope denounces it as the culminating act in a scheme of sweeping spoliation. It is true that the church buildings are to be used only for religious purposes. But what, asks the Pope, if disaffection should arise among the Catholics of a given parish? Suppose a part of the laymen should refuse to defer to ecclesiastical authority while others remained obedient. It would be for the Mayor of the Commune to decide which faction should occupy the church. This is not an academic but a practical objection. Already a number of associations cultuelles have been formed in spite of the Pope's prohibition, and some parishes have set at naught another papal injunction, by making the formal declarations required by the law of 1881. The law of January 2, 1907, by leaving it to the local civil authority to decide who shall occupy

a church, invites disorganization and

points straight to anarchy. All this is true and forcibly put, but it will be noted that the Pope does not distinctly tell the Bishops whether at their plenary meeting they should direct the clergy not to use the church buildings, open to them under the provisions of the law of January 2. Apparently Pius X. shrinks from compelling French Catholics to worship in private dwellings, yet that is the alternative if the privileges granted by the law of January 2 are reected. This is, of course, patent to Pius X., who must also know that so long as the French Government is in the hands that now control it the demand which he makes the price of peace will never be complied with, the demand, namely, that the Catholic hierarchy shall be officially recognized and that the property of the Church and its freedom of action shall be inviolable. The civil power has already confiscated the property of the Church, has subjected its liberty of action to restrictions, and refuses to see in a Bishop or a clergyman

## Felonies Not to Be Compounded.

anything but a citizen.

When the conviction of malfeasance has been brought home to a corporation or trust and there is no visible escape for the culprit or culprits, it behooves the Federal authorities to exercise the greatest care and discretion in determining their final action.

The public temper having been wrought to a pitch of such intensity concerning the occasion and the objects of the Federal pursuit, it will be the part of imprudence to indulge in arbitrary or undue clemency.

It will be unwise, in our judgment, to incur even the suspicion of a willingness to condone a grievous wrong respecting which there is a deep public concern. It would be as if the Federal Government had perilously approached the compounding of a felony.

There is no Providence that doth hedge about a trust; and in the eyes of the people wealth expressed in mere figures of magnitude no longer controls the imagination or dulls the senses.

# The Tardy Court House Board Report.

At last the laggard Court House Commissioners have made their selection of a site for the new court house and on Friday they submitted their report to the Board of Estimate and Apportionment, recommending the plot of land bounded by Fourth avenue or Union Square on the west, Irving place on the east. Fourteenth street on the south and Seventeenth street on the north. Fifteenth street is to be closed, and also Sixteenth street, between Fourth avenue

and Irving place. This site is manifestly the best which could have been selected, in view of the fact that the Judges object to the noise which would surround any location on lower Broadway; but the choice of this site renders all the more inexplicable the long delay on the part of the Court House Board in finally making up its collective or composite mind.

All the sites considered by the board had been considered and talked about by the Judges and members of the bar as far back as the spring of 1905, if not earlier, and a selection could just as well have been made in May or June, 1905, as to-day. The board has delayed long enough to permit the erection of the new Union Square Savings Bank building at Fifteenth street and Fourth avenue, involving a probable additional cost to the city of \$200,000, which could readily

have been saved by prompt action. The board reports that it has had an appraisement made of the site selected, which is found to be worth \$8,913,500. The announcement of this valuation would seem to us highly injudicious for as fixing a minimum valuation it will aid the property owners, while it will not be binding upon them in the assertion of their claims nor will it preclude the allowance of higher awards by the commissioners of appraisal. It is to be hoped that the Board of Estimate, which is to give a public hearing on February 1. will approve the site selected and that there will be no further delay in the appraisal of the land and buildings and in the commencement of the construction of the court house

After the approval of the site selected by the Board of Estimate the Court House Board must proceed with the preparation of plans and specifications for the court house, but they must be first approved in writing by a majority of the Justices of the Supreme Court

residing in this district. Here is a great opportunity for the erection of a beautiful and appropriate building, and an interesting object lesson in "How Not to Build a Building" is furnished by the queer but costly Hall of Records. In this edifice, with the whole heavens above it and ample space for the construction of highly vaulted rooms, many of the rooms are too low and they seem to be little cubbyholes. The main hall on the ground floor is so dark that on a bright morning it has to be lighted by electricity, which is partly

extra expense in this \$10,000,000 structure no gas pipes were placed in the building. so that when any accident happens to the electric plant the building will be

thrown into utter darkness. The Court House Commissioners should not place cheap statues on the top of the new court house representing departed worthies whose features can be viewed only through a highly magnifying telescope. However, questions of construction can be considered hereafter. The main duty now is prompt action on the part of the Board of Estimate and Apportionment, and although the delay of the Court House Board still remains unexplained, the public will be thankful that at last something has been done.

# Subway Slot Machines.

Justice McCall of the Supreme Court, in his decision against the city in the action to restrain the Interborough Rapid Transit Company from maintaining slot machines in the subway, declares that the evidence before him proved that the machines were really public conveniences, and that their removal would be a positive injury to the travellers who use the road. The Justice collected a number of precedents to show that the corporation, while organized as a transportation company, should be allowed to use its premises incidentally for other purposes. He said:

. While it is true that in deciding whether any act is beyond the power of the corporation th courts must look into the circumstances of each particular case, yet that doctrine will always be reasonably applied. The proof shows that vending and weighing machines are now commonly maintained in railroad stations and on platforms of the elevated roads and in ferry terminal houses generally, in the city of New York and elsewhere The right of the elevated railroad to condemn land was once questioned, because it permitted its property to be used for other than railroad pur poses by allowing news stands on its stations, and the Supreme Court declared it to be an extraordi pary proposition to say that the right of a railroad to condemn real estate could be questioned because it used some of its property for a purpose not strictly a railroad purpose, but which was a great convenience to passengers. A large number of collateral uses of railroad property have been sus tained, such as the right to maintain weighing machines, and a hotel and summer resort were held to be within the powers of a railroad, and the right of a ferry to run excursions with its surplus boats not needed for ferry purposes, and to maintain refreshment stands in stations, and in BROWN es. Winnistmmett Company the court stated that there was no rule or principle by which an act creating a corporation for a certain specific object could be construed as prohibitive of all other dealings not within the exact scope of its charter, and saying that a corporation may engage in business incidental to its main business where it may become necessary, expedient or profitable in the care and

The question of disfiguring the walls of the subway with signs was not involved in this case. The slot machines will stay, continuing to swallow coins without delivering the goods they are advertised to dispense, and thus providing something to occupy the minds of the waiting passengers. An interesting question is whether the Interborough company is not liable for the money that thieving machines consume. If it is not, the passenger's chance of recovery is very small.

#### The Crapsey Case and the Absence of an Episcopal Court of Appeal.

The trial of Dr. CRAPSEY for heresy by diocesan court has attracted much attention in Great Britain from both Anglicans and Catholics, by reason of the fact that the defendant, having been convicted, found himself unable to appeal to a higher tribunal on a question of faith and doctrine.

This, it is pointed out, is an extraordinary aromaly. A Catholic priest in the United States who should feel himself unjustly condemned by the equivalent of a diocesan court could appeal to the Papal Delegation at Washington or to the Holy See. An Anglican clergyman in England might seek redress at the Court of Arches or in the secular courts of the land. Dr. CRAPSEY, on the other hand, though his ministerial position was at stake, had to accept as final the decision of five men of a local trial court. He was, indeed, at liberty to have the issue raised on his trial revised by a so-called court of review, but this tribunal could only remedy errors of procedure, being forbidden by the constitution of the Protestant Episcopal Church of America to determine any question of doctrine, faith or worship.

There is no doubt that this remarkable anomaly exists, but it was not contemplated by the organizers of the Episcopal Church of the United States, and it could at any time be brought to an end. The convention which drew up the constitution of that body presumed and proposed the formation of an ultimate and supreme court of appeal, which in matters ecclesiastical should discharge functions corresponding to those performed by the United States Supreme Court in secular matters. The convention went so far as to make provision concerning the manner in which cases should be brought up to such an appellate tribunal. As a matter of fact, however, the supreme ecclesiastical court. which was to complete the system of Protestant Episcopal ecclesiastical pro-

cedure, has never come into being. The London Tablet, which as a Roman Catholic organ cannot be suspected of sharing Dr. Chapsey's views of the dogmas of the virgin birth and resurrection of JESUS, holds, nevertheless, that the deposed clergyman has ground for complaint of unjust treatment. It considers that the whole affair casts a lurid light on the cramped conditions of ecclesiastical liberty of redress accorded by the constitution of the Anglican Church in the midst of the American Republic. It can see, indeed, that the creation of a central and supreme authority, to which in matters of faith and doctrine an appeal would be taken from local and diocesan decisions, might be regarded in some quarters as a disguised Papacy, but obviously the existence of such an authority would afford a guarantee of equity not otherwise attainable. Moreover, the decision of a central authority would have been binding on all Protestant Episcopal clergymen, whether or no they should happen to reside in the diocese wherein

cuts off the light from above. To avoid Dr. CRAPSEY was convicted. As things ISENGLAND GOING TO THE DEVIL? are the judgment remains local, and except in the diocese of Western New York is ineffective.

It would not be surprising if the attention excited by the Crapsey case on both sides of the Atlantic should bring about a fulfilment of the intention of the authors of the constitution of the Protestant Episcopal Church of America, by leading to the organization of a supreme ecclesiastical court empowered to render final decisions on matters of faith and doctrine, which would be binding on all members of the commission.

## The Hudson Bay Route

The use of the Hudson Bay route to Europe can no longer be regarded as a mere visionary scheme. All of Canada's great railway systems are pushing their lines in the direction of ports on the shore of the bay. It will be reached from the south, the southwest and the west. The more important lines will run from the west and the southwest, from the wheat fields and the cattle ranges. The rapid development of Canada's

great Northwest within the last few years, and the assurance of an even more rapid development in the years to come, have brought about new conditions. The Hudson Bay route is open for four or five months each year. It is shorter by from 700 to 1,000 miles than are the present routes between the wheat fields and the markets of Europe. It offers a saving in freight handling. Grain and cattle from Manitoba, Saskatchewan or Alberta will require only one transfer on their way to Europe. The matter of distance and of general shipping convenience is best realized by reference to a map, where comparison may be made between the direct rail routes from Winnipeg or Calgary or Edmonton to Fort Churchill or York Factory, and the devious rail, lake and canal routes to Montreal or New York. Churchill and York, like New York and Montreal, are practically 3,000 miles from Liverpool.

There is little doubt that within the next few years the Canadian Pacific, the Canadian Northern, the Grand Trunk Pacific and the Great Northern will all have terminals on Hudson Bay. So, in all probability, will some of the smaller roads of eastern Canada have their terminals on James Bay, which forms a pocket at the southern end of the Hudson Bay shore line.

This is a matter which is somewhat more than likely to have an important bearing on the interests of American producers and of American transportation lines.

From MURPHY's point of view, why should he not be "on deck" in Albany? His man "Paradise" JIMMY OLIVER is Democratic leader in the Assembly, and Orator GRADY orders the opposition in the Senate There is no State boss but MURPHY, and no contract is too big for him.

The Western Senators who have seen fit to attack Secretary HITCHCOCK will get little public sympathy and less public applause. No man of cleaner conscience or stricter probity ever occupied a public position. His honesty stands beyond impeachment, and even if he erred, which is far from certain, in withholding those Indian lands from allotment, both his personlity and his public service should exemp him from the flings to which he has been so unworthily subjected by men who are known to have been offended by his rigorous

prosecution of lawbreakers. Mr. HITCHCOCK may or may not have erred in judgment, but such errors of judgment, when committed by men of unimpeachable honesty, demand at least the tolerant consideration of honest men.

The surprising thing is, not that there is mutiny in the Democratic ranks against the leadership of JOHN SHARP WILLIAMS, but that he has succeeded for so long a time in maintaining any kind of authority over his Southern brethren and the cor poral's guard of Northerners who form the minority. All the active malcontents are Southerners. The Northern notion of Mr. WILLIAMS is that, in spite of a clownish humor and an automatic gift of expression he understands and handles his balky team better than any of his predecessors managed to do since the day of CRISP of Georgia Mr. WILLIAMS is a man of ideas, energy tact and uniform good temper, and in general information he is head and shoulder above most of his colleagues. There is not enough of the fighting spirit in WILLIAMS to make an inspiring minority leader, and he would be the better for a little more buckram in his manner. The Senate is his sphere rather than the House, and it is to be hoped that there is enough intelligence in Mississippi to prefer him to Governor

TO THE EDITOR OF THE SUN—Sir: In view of the questions asked by "S. N." whether we should have fashions and who would introduce them under a Socialist Government. I should like to ask him one question: Who introduces and who produces the fashions now? The producing, the most important factor, is done by the workingman the introducing or selling is performed by the owner of the instruments which produce this fashion namely, the capitalist. Now would it not be very simple for the workingman to introduce fashions himself? As the Socialists are not re actionary but modern, therefore they will als always follow modern progress even in the matte of dress. Under a Socialist Government there wil be prosperity and liberty for all, and it is there-fore logical that it will not resort to such a petty tyranny as to limit a man to a certain amount' o NEW YORK, January 11.

TO THE EDITOR OF THE SUN-Sir: Is "S. N the tailor who worries about fashions under socialism, a ladies' tailor? If so I can perhaps answe to his satisfaction how women get their fashions to day and how they may get them in the future To-day the idle women who follow abou the King of England and put on all sorts of ridicu lous raiment to attract his attention are copies by women in this enlightened country who hav-little to do. They in turn are imitated by our women of the useful classes who little know where the fashions originate, and who might rebel agains them if they knew. In the future society common sense will no doubt be a bigger factor in the choose ing of raiment, and perhaps if some of us have no too much raiment and others not too little, as is the state of affairs to-day, we may all have enough to satisfy minds not diseased by chaotic conditions This is one of the real remedies of socialism

# Wheat Growing in Russia.

The Crop Reporter for December says: "Notwith tauding the very rapid increase in the consump tion of wheat in our domestic markets, the United States still remains one of the chief exporters of The figures of those exports for the last three

Wheat. Wheat Flour. \$35,850,518 1905...... 3,905,579 40,176,136 59,100,889 In this trade Russia is our main competitor to the markets of Europe. During the last few years Russia has even gained the upper hand as far as

exports of wheat are concerned.

Some year-end philosophers in their annual retrospects have been shaking their heads over the lamentable pass of England. Their forebodings are not inspired by mere statistics or the condition of the money market. They spring from a more ethereal -a literary source. These reviewers are alarmed by finding in the writings of Englishmen during the last twelve months general note of discontent and depression. They detect this note in serious works and even in fiction. "A general black pessimism" is said to be threatening English novelists. They are observed "frantically proposing feeble panaceas."

This undoubtedly suggests the novelists being in a bad way. What it proves about the country is another question. The evidence of imaginative literature on such a point may have to be understood contrariwise. History has often shown it making merry on the eve of catastrophes, and dole ful when nothing was to be feared. As for the serious works, a gloomy tone even there doesn't necessarily prove trouble in the country, especially when the country is England. A century ago Stendhal described a picnic on the Roman Campagna at which two Englishmen were present Both of them were painfully morose till it occurred to some diplomatist in the party to have them mounted on a pair of vicious mules engaged as sumpters in the comnissariat of the excursion. Straightway the Englishmen brightened up. All was smiles and guffaws. It was the smoothnes of the proceedings which had been depress

And then there are, at a moderate guess five systematic-oh, so systematic-writers on political and social questions in Merrie England for every one in any other nation -having regard at least to population This abundance may be traced to politics being the national hobby and to a swollen eisured class. France and Germany have their quota of educated gentlefolk at ease, but politics is not their main interest. Of ourselves the coming British Ambassador remarks: "It astonishes an English visitor to find how small a part politics plays in conversation in America." Will Mr. Bryce say as much a year hence? Still, he pleads commerce as our excuse, and the question is not yet closed in which branch the larger profits lie. In England, besides those born to leisure, an amazingly increasing class has to be reckoned with known as the 'retired tenth." These acquire leisure through a truly evangelical contentment with a modest pile. These pikers do not all abandon themselves therefore to idleness. From the founts of their scarcely tapped energy and that of the born leisured together with many other famous victim of the ruling passion, rolls forth a vast flood of socio-political literature recklessly discharging itself into the editorials of the daily press, into weekly, monthly and quarterly organs, into pamphlets and books. In a word, the country is to all appearances a chronic sufferer from a plethora of publicists.

A publicist is a useful citizen within cer tain limits, but it is possible to have too much even of this good thing. Gorky waxed bitter in other days against the Dmitri Roudines-the chattering "intellectuals" of Russia-for confounding or neglecting the mass of true workers. B it not doubted that English "intellectuals exercise their talents to better purpose Still, there seems to be room in this respec for a little national self-hug of our own. After all, a pretty close absorption in prac tical business may be no great loss to nation.

Too much counsel, it has been surmised

may darken knowledge. Or, to return to

our starting point, this English superabundance of publicists cannot be implicitly relied upon to yield a crystalline reflecti of their national affairs. admitted, is insured by their argus eyes But sometimes the result resembles that self-watchfulness of the valetudinarian which staves off real troubles to replace them with imaginary ones. Though it must be granted to these writers that they are mostly disinterested, they are some times so absolutely detached from the realities of a situation that their view thereof is perilously speculative-altogether too much elevated into the air. Again, this extreme detachment infuses into their attitude too much of the spirit of play. They are not out for graft. No. they are out for sport-intellectual sport. When no crisis exists they are sometimes impelled to cry wolf, not by a yellow motive, but by the gamesome pressure of their metaphysical instincts. They postulate trouble, like the major premise of a syllogism, for sheer delight of fitting minor to it. Moreover, their voluminous debates tend to destroy all sense of proportion in the public mind. By sheer stress of writing they will magnify a comparatively unimportant matter into the dimensions of a star. And since the public gives ear to their sermons with marvellous docility, a great waste of its time and energy is too frequently the result. Sometimes they becloud an issue with masses of unprac tical subtleties. Without going any further back than the recent controversy on edu cation, or the Anglo-German flare up, one might find a naughty superfluity of illus-W.A G. trations of these tendencies.

### COLOR LINE IN THE NAVY. No Advancement for the Negro and He I Not Really Wanted.

TO THE EDITOR OF THE SUN-Sir: 1t quite evident that "Black," the writer of a letter about the color line in the navy which was printed in THE SUN on January 10, has not gone into the matter deeply.

Only within the last few months a cabir steward whose time has expired told me that after twelve years experience he had come to the conclusion that the navy was no place for a black man. He told me or a num ber of incidents of black sailors suffering

ber of incidents of black sailors suffering indignities from white sailors and how sailors on the battleship Indiana, while she was lying in the Brooklyn navy yard, petitioned for separate drinking cups.

While the officers do not encourage these practices, many of them find a way not to know about them. From others I have learned there is no advancement for black sailors. You never find them on gun crews; you never find black apprentice boys. Almost all negroes are firemen or coal passers or personal servants of the commissioned officers. If "Black" will investigate he will find that black sailors are leaving the service. Whenever a photo is taken of a battleship's crew and officers rarely do you see a black face in the group.

H. A. WILLIAMSON.

BROOKLYN, January 11. BROOKLYN, January 11.

#### Brownsville or Chicago? Bilyuns-Get a Government subpæna? Milyuns-Yes; but I can't tell whether they wan

me to tell what I don't know or tell what I do know. The Sandhog. Burrowing the sandhog goes 'Neath the river deep,

Breathing air that is compressed Holding life as cheap. Few there are that know or care When his labor ends,

Save, perhaps, some paper notes: "Victim of the bends." When, the tunnels done, Bearing close packed human freight

Mighty trains shall run. Wonder, when that time arrives And commuters speed. Will the car hog stop to think

Of the sandhog's deed? MCLANDBURGH WILSON DUE PROCESS OF LAW.

TO THE EDITOR OF THE SUN-Sir: The words uttered at the Hotel Astor dinner last evening by that distinguished jurist William . Wallace deserve to be written in letters of gold. None there who heard the sturdy and manful declaration of independence by Judge Wallace on the part of the Judicial Department of the national Government will soon forget it.

It is coming to be recognized as most true that all enlightened government reduces itself in the last analysis to the impartial administration of justice between Dives and Lazarus-permitting neither the wealth and public standing of the one nor the poverty and misfortunes of the other to exalt or depress the balance one jot. And it should be remembered and laid to heart that when the United States Government comes into court it stands in no better position than a private person: the question is simply and solely, or the civil or criminal side of the court, as the case may be: Has the Government established dause of action on which recovery may be had or relief decreed, or do the law and fact

warrant the conviction of the defendant? Undoubtedly, the above statements are he baldest and tritest truisms; nevertheless, their reiteration may not be untimely at present. Exhortations, paternal admonitions to the Federal Judiciary, urging it to strain clauses of the Constitution and statutes to the breaking point to give more power to the Executive, have been frequently heard of late from high quarters. And when a Judge, mindful of his oath of office, has had the temerity to apply the law according to the pest of his understanding and in so doing decide against the Government, from these same high quarters have come upbraidings, thunderous menaces and veiled proposals for constitutional amendment so as to change the judicial tenure of office from good behavior to a brief term of years, or, in effect,

durante bene placito. One may be thankful that from present indications the new dispensation is to endure but two years more. Then, perhaps, we shall again obtain approval from Washington for an unprejudiced trial and acquittal or conviction by due process of law for the most powerful corporation or the poorest individual. Otherwise, were the attempted intimidation of Judges to continue indefinitely, we might experience conditions similar to those which caused an ungrateful nation to lodge at St. Germain's an old time patron of subservient Judges and supporter of unlimited and unchecked executive power. LEX SCRIPTA. NEW YORK, January 11.

### DR. OSLER ON CHRISTIAN SCIENCE. The Professional Medical View of the Utility of Faith as a Healer.

TO THE EDITOR OF THE SUN-Sir: The sailing the other day for Europe of Dr. William Osler, one of the most commanding figures in medical science now living, calls d some of his recent public con on faith healing, with particular reference to Christian Science. For the benefit of those who have not seen his article on "The Progres of Medicine" the following extract is here

"One mode of faith healing in modern days, which passes under the remarkable name of Christian Science, is probably nothing more than mental suggestion under nother name. The patient is told to be calm, and is assured that all will go well; that he must try to aid the healer by believing that what is told him is true. The healer then, quietly but firmly, asserts and reiterates that 'there is no pain, no suffering, that t is disappearing, that relief will come, tha the patient is getting well.' This is precisely the method which Bernheim used with such success in his hypnotic patients at Nancy, iterating and reiterating in a most weari some way that the disease would disappear and the patient would feel better.

"As has been pointed out by a recent writer (Dr. Harry Marshall), the chief basis for the growth of Christian Science is that which anderlies every popular fallacy. dell Holmes outlined very clearly the factors

underlies every popular fallacy. Oliver Wendell Holmes outlined very clearly the factors concerned, showing (a) how easily abundant facts can be collected to prove anything whatsoever; (b) how insufficient 'exalted wisdom, immaculate honesty and vast general acquirements' are to prevent an individual from having the most primitive ideas upon subjects out of his line of thought; and finally demonstrating 'the boundless credulity and excitability of mankind upon subjects connected with medicine.'

"While we often overlook or are ignorant of our own faith cures, doctors are just a wee bit too sensitive about those performed outside our ranks. They have never had, and cannot expect to have, a monopoly in this panacea, which is open to all, free as the sun, and which may make of any one in certain cases 'a good physician out of nature's grace.' Faith in the gods or in the saints cures one, faith in little pills another, hypnotic suggestion a third, faith in a plain common doctor a fourth. In all ages the prayer of faith has healed the sick, and the mental attitude of the suppliant seems to be of no more consequence than the powers to which the prayer is addressed.

"We physicians use the same power every day. If a poor lass, paralyzed apparently, helpless, bedridden for years, comes to me, having worn out in mind, body and estate a devoted family; if she in a few weeks or less by having faith in me, and faith alone, takes up her bed and walks, the saints of old could not have done more. Ste. Anne de Beaupré and many others can scarcely to-day do less. We doctors enjoy, I say, no monopoly in the faith business. But the faith with which we ali work, the faith which is available in everyday life, has its limitations. It will not raise the dead: it will not put in a new eye in place of a bad one, nor will it cure cancer or pneumonia, or knit a bone; but in spite of these restrictions, such as we find it, faith is a most precious commodity, without which we should be very badly off."

## CAMBRIDGE, Mass., January 11. Tobacco Grown in Canada.

From the Müwaukee Sentinet. "Sounds funny to hear of tobacco being grown n Canada, doesn't it?" said W. J. Clancy of Toronto. Not so much perhaps to Wisconsin people, who know that it is grown in this State, where the mercury frequently goes out of sight, but the average American thinks of the waving paims of the tropics as soon as tobacco culture is mentioned. It is a fact, however, that the weed is now grown with great success in Ontario and other provinces in the astern part of the Dominion. So great have been the returns, in fact, that many farmers are giving up wheat growing and are planting tobacco i

### Gold Braid in Connecticut. From the Hartford Times.

their fields."

"I wonder what becomes of all the gold trimmed caps and fine uniforms of members of Governors staffs?" said a man with a curious mind Wednes-day. "I used to think that an outgoing Colonel sold his brilliant togs to the incoming Colonel, but after seeing the parade I was obliged to change my mind, for there were the has beens and the new Colonel sitting side by side in the carriages, and all in uniform, the has beens just as gay in appearance as the fellows who received their glad clothes from the uniform maker a week ago. So you see I have not solved the problem."

### Aged City Messenger. From the Boston Herald.

After the reelection of Jairus Mann as city messenger in Somerville this week and when he went forward to be sworn all the city officials and the entire audience rose to their feet and clapped Mr. Mann had previously escorted the other elected officials to the stage, where they were sworn in, but when it came his turn to take the oath Mayor Grimmons left the stage and did escort duty fo him. Mr. Mann has been city messenger of Somerville since 1872, the year of the incorporation of the city, and he is now 82 years of age

Farm Machinery and Edged Tools for Canada Daily Consular and Trade Reports points out that the proposed reduction in the Canadian tariff by the present Parliament, as recently announced by the Minister of Finance, affords a splendid opportunity for the sale there of American agricultural machinery and edged tools, by a reduction of duty from 25 per cent. to 22½ per cent. It will not do to depend on circulars to make use of this opportunity. What is wanted is sales agents. Those going into the province of Quebec should know THE BROKEN CONCORDAT.

A Catholic View of the State and Church Eltuation in France.

TO THE EDITOR OF THE SUN-Size ncorrect opinions of the attitude of the Gov. ernment of France toward the American press are expressed through the Concordat. The writers fail to treat this much vexed or fairly, because they do not regard it from the proper point of view. They over causes which are responsible for the conditions which obtain at present, and they do not consider the nature of the constitut of the Catholic Church.

The causes date back to the end of the eighteenth century. The French Revolu-tion of 1789 destroyed the civil order and overthrew the constitution of the Church in France. When Bonaparte, after ten years of disorder, set to work to restore order he determined to arrange for the ration of religion. He drew up the a treaty in fourteen articles, which he Concordat, and presented it to The treaty agreed to support the France in compensation for the Churerty confiscated by the Revoluti total value of the Church property time was \$80,000,000. At present the \$300,000,000. The subsidy allowed for elergy was an equivalent of about 1 per cent, affording an average annual salary of abo compensation. Moreover, the articles reaty were but so many chains to bind the clergy and to reduce the Church to servitude as the history of the past century attests. Jules Simon, who was well qualified to judge of the Concordat, denounced it as an

instrument of tyranny.

While it afforded a pittance for the clerg it placed them under the control and at the mercy of the Government officials. Pop Pius VII. had no choice but to accept the Concordat, as it afforded infilions of Catholic

Concordat, as it afforded millions of Cathol an opportunity of practising their religi and enabled the clergy, who were in exand poverty, to live in France and with so means of support.

"Organic Articles" were annexed to Concordat without the Pope's approval, virtue of which no document executed Rome could be received even by a privindividual in France without the authorition of the Government. No national coun no diocesan synod, no deliberative assen could be held without the express permiss of the Government. The Bishops could publish the appointment of pastors until nomination was approved by the ment. Other iniquitous restrictions

ment. Other iniquitous restrictions at the freedom of ecclesiastical teaching source and in its agents.

After the fall of the empire, 1871, Marshal McMahon became president republic, the Church's position implies that the composed of disciples of Voltaire and B atheists, republicans in politics, but reand devoid of conscience, began to was on the Church. This faction was strened by members of Masonic lodge Huguenots and Jews, who enacted insidious and cruel measures agains nsidious and cruel measures again thurch, and especially against re

Crippled by these iniquitous laws on one side, and the articles of the Concords the other, the clergy were constantly trated in their work. Government set were supplied by anti-Christian t masters, who proved their loyalt masters, who proved their loyalty to lican principles and the Government by ing contempt for religion. Did the priest protest or dare uphold the righthe Church he was denounced to the P who cut off his salary and left him wasupport. These was no redress. Durpast quarter of a century hundreds of have been deprived of their salaries Government for teaching the catechism dren in the only language which they understand. A few weeks ago the Concordat was b

The contract made by Napoleon I. a. VII. in 1801 was disrupted by the Gove of France without consulting the P. contract made by two parties, bavin, ing force, cannot be broken in justic of the parties. If France would dispersed union of the State with the let her restore the property worth \$300, which belongs to the Church. This stuses to do. But she will allow the use which belongs to the Church. This she fuses to do. But she will allow the use of churches for religious functions on cor tion that associations of laymen he form which will govern the congregations, ecclesiastic is allowed to be a member these associations. Laymen are to gove seven laymen to every 1,000, fifteen laym for congregations of from 1,000 to 20,000, twenty-five laymen for congregations m than 20,000. Full power is given these I men to engage pastors, to determine the k of worship, to control the funds and religious edifices, independent of canon the Bishops and the Pope.

By virtue of the law of associations, clergy became the instruments of a board clergy became the instruments of a board clergy became the instruments of a board clergy became the services.

elergy became the instruments of a board aymen, who now be Jews, atheists or in laymen, who may be Jews, atheists or infidels. The Church mas no voice in the choice of these laymen. It is evident that Pope Plus could not accept such an arrangement. He was bound in conscience to repudiate it. He could not alienste the Church's possesions. He could not permit the Bishops and pastors to be ruled by laymen. He could not permit the kind of worship to be determined by laymen, the mass to be abolished, if they so determined. He could not allow the funds contributed by the faithful for worship to be disposed of as a board of laymen might see fit. In a word, he could not permit the government of the Church in France to be invested in a lay committee of any kind, much less in a board of freethingers, atheists, Jews and infidels. This would be contrary to the fundamental principles of the constitution of the Catholic Church.

WALTER J. SHANLEY.

DANBURY, Conn., January 11.

DANBURY, Conn., January 11 Good American Business. In 1906 loans by our national banks increased by \$336,000,000 over 1905; our copper production increased by 99,000,000 pounds; our money in circu lation increased by \$207,000,000; our pig fron prefuction increased by 2,850,000 tons; our cotton crop

Increased by 948,000 bales.

With \$72,006,284 outstanding in loans and discounts the banks of Los Angeles still have \$30,771,55 of cash and cash credits on hand. Their capital stock is \$11,158,133, besides \$5,841,098 in surplus and andivided profits. Deposits amount to \$100,020,55 San José, Cal., reports the largest increase for The total was \$90,473, against \$76,992 in 1905. The gain in December alone was \$4,000. Imported merchandise received at the port

New York in 1906 was of the value of \$787,652,68 an increase of \$82,640,969. This includes precious stones, \$43,573,488, an increase of \$6,428,147 over 1935; also automobiles, \$5,488,690, 1,561 in an increase of 507 machines and \$1,516,433. In the week ended December 29 the Minneapolis, St. Paul and Milwaukee made 360,000

barrels of flour, an increase of 33,000 barrels over the output of the same week of 1905. It is getting monotonous. Railroad after rail road reports increased earnings week after week The Atchison reports an increase of \$794,000 gross in November, 1906, over November, 1905. In 1906 the Pennsylvania carried on its lines es of Erie and Pittsburg 3,400,000 more tons of c than in 1905, large as the tonnage of that year was Fifteen of the largest cotton mills at New B

ford, Mass., paid \$1,373,750 dividends in 1906, a gain of \$549,000. In addition, other leading factories paid \$1,876,785, or \$676,925 more than the The average cotton mill dividend for per cent., against 6.6 per cent. in 1905 a cent. in 1904. The average earnings o mills is more than \$4 a spindle a day now. in operation number 1,985,728, a gain of 2 one year. New capital is \$5,000,000. During 1906 more money was paid carrying-\$61,000,000-than ever before on the Great Lakes. Earnings of steel

aged 13 per cent., and some old "wooden s high as 30 per cent.. says the Na of New York. Iron and steel caused this dinary prosperity. The total movem ore was 37,513,598 tons, an increase tons over 1905. In the forty-eight hours ending Do

Buffalo received 4,130,062 bushels of grain by water, a new record. Fully 20,000,000 bushels are now affoat and in store. The elevators are giuted At least 7,000,000 bushels were left in the vessels in the harbor until spring. For the eleven months ended November

were worth \$1,186,000,000, an increase of \$150,000,5 nd exports were worth \$1,608,000,000 of \$181,000,000. That is a big new recor Since the seventy shipping iron opened on the Mesaba Range in 1892 shipped 192,000,000 tons of ore. For the output of all the mines for all the year 1888. With this year's movement the test of the mines in the ore district foots up to 30

tons, more than half of which was ship the last six years. From January 1 to September 1, 1908 one of Saxony's great to; manufac sent 9,895 tons of toys to bee United S crease of 1,179 tons over the same period says Daily Consular and Trade Reports.

Traffic managers agree that the on the freight rush is the absence now merchandise. Grain is moving in larg December was an excellent month for ea Outside of railroad shops our outp of Canada, of cars and locomotives value of \$378,000,000, a gain over 1975 cent., and over 1904 of 209 per cent. Bank clearings and railroad earnings each increased 13 per cent. over 1905,